

IN THE UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION

FILED
U.S. DISTRICT COURT
SAVANNAH, GA

OCT -7 2015

UNITED STATES OF AMERICA

v.

Eric Arrana Garcia,

Defendant.

CASE NO. 4:13-cr-00161-107 GA

CLERK

O R D E R

On September 25, 2015, Defendant filed a Motion for Modification or Reduction of Sentence Pursuant to 18 U.S.C. § 3582(c)(2). Defendant is requesting a sentence reduction pursuant to Amendment 750 to the United States Sentencing Guidelines. Defendant is also requesting court-appointed counsel.

Defendant was sentenced by this Court on January 8, 2015. He was sentenced to a total of 216 months custody for offenses involving illegal drugs and a firearm. Amendment 750 to the United States Sentencing Guidelines was effective November 1, 2011. As such, Defendant has already received any benefit for which he was eligible as a result of Amendment 750. The Court notes that Defendant was likewise sentenced after Amendment 782 to the Guidelines (the most recent amendment affecting drug quantity base offense levels) became effective. Therefore, at the time of sentencing in this case, he likewise already received any benefit for which he was eligible as a result of

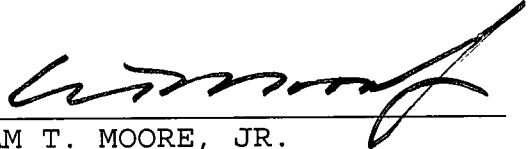
Eric Arrana Garcia
4:13-cr-00161-1
Order on Motion

that Amendment. For these reasons, Defendant is not eligible for a sentence reduction pursuant to 18 U.S.C. § 3582(c)(2).

As to Defendant's request for counsel, Defendants seeking sentence reductions pursuant to § 3582 have no statutory or constitutional right to appointed counsel, United States v. Webb, 565 F.3d 789, 795 (11th Cir. 2009), which the Court has determined unnecessary in this case.

Based on the foregoing, Defendant's Motion for Sentence Reduction pursuant to 18 U.S.C. § 3582(c)(2), as well as his request for counsel, are DENIED.

SO ORDERED this 7th day of OCTOBER 2015.



WILLIAM T. MOORE, JR.
JUDGE, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA